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PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	Implex-18
First Inventor	Robie et al.
Title	Instrument and System for Preparing the Disc Space Between ...
Express Mail Label No.	EV043786139US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages **19**]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets **4**]
5. Oath or Declaration [Total Pages **4**]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____ Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS
 Customer Number or Bar Code Label or Correspondence address below

(Insert Customer Number or Bar Code Label here)

Name	28581			
	PATENT TRADEMARK OFFICE			
Address				
City		State		Zip Code
Country		Telephone		Fax

Name (Print/Type) **Paul A. Schwarz**Registration No. (Attorney/Agent) **37,577**Signature Date **December 13, 2001**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

j1036 U.S. PTO
12/13/01j1036 U.S. PTO
12/13/01

12/13/01
JC951 U S. PTO

PTO/SB/17 (XX-XX)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$632.00

Complete if Known

Application Number	Herewith
Filing Date	Herewith
First Named Inventor	Robie et al.
Examiner Name	TBA
Group Art Unit	TBA
Attorney Docket No.	Implex-18

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **04-1679**

Deposit Account Name _____

- Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR § 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201 Utility filing fee	370.00
106	330	206 Design filing fee	_____
107	510	207 Plant filing fee	_____
108	740	208 Reissue filing fee	_____
114	160	214 Provisional filing fee	_____
SUBTOTAL (1)		\$370.00	

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims 40	$40 \cdot 20^{**} =$	20 X 9.00 = 180.00
Independent Claims 4	$4 \cdot 3^{**} =$	1 X 42.00 = 42.00
Multiple Dependent		_____

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		\$222.00

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105	130	205 65 Surcharge - late filing fee or oath	_____
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	_____
139	130	139 130 Non - English specification	_____
147	2,520	147 2,520 For filing a request for ex parte reexamination	_____
112	920*	112 920* Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	_____
115	110	215 55 Extension for reply within first month	_____
116	400	216 200 Extension for reply within second month	_____
117	920	217 460 Extension for reply within third month	_____
118	1,440	218 720 Extension for reply within fourth month	_____
128	1,960	228 980 Extension for reply within fifth month	_____
119	320	219 160 Notice of Appeal	_____
120	320	220 160 Filing a brief in support of an appeal	_____
121	280	221 140 Request for oral hearing	_____
138	1,510	138 1,510 Petition to institute a public use proceeding	_____
140	110	240 55 Petition to revive - unavoidable	_____
141	1,280	241 640 Petition to revive - unintentional	_____
142	1,280	242 640 Utility issue fee (or reissue)	_____
143	460	243 230 Design issue fee	_____
144	620	244 310 Plant issue fee	_____
122	130	122 130 Petitions to the Commissioner	_____
123	50	123 50 Processing fee under 37 CFR § 1.17(q)	_____
126	180	126 180 Submission of Information Disclosure Statement	_____
581	40	581 40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	_____
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	_____
179	740	279 370 Request for Continued Examination (RCE)	_____
169	900	169 900 Request for expedited examination of a design application	_____
Other fee (specify) _____			_____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**\$40.00****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Paul A. Schwarz	Registration No. (Attorney/Agent)	37,577	Telephone	609-919-4408
Signature			Date	December 13, 2001	

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"EXPRESS MAIL CERTIFICATE"

"Express Mail" mailing label number: EV043786139US

Date of Deposit: December 13, 2001

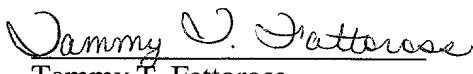
Title of Invention: INSTRUMENT AND SYSTEM FOR PREPARING THE DISC SPACE BETWEEN TWO VERTEBRAL BODIES

Inventors: ROBIE, Bruce; ZUBOK, Rafael; BLOUIN, Felix

Type of Documents:

1. Utility Patent Application Transmittal;
2. Fee Transmittal;
3. Utility Patent Application consisting of 10 pages of specification, 8 pages of claims, 1 page of Abstract, and 4 pages drawings;
4. Declaration and Power of Attorney (executed);
5. Information Disclosure Statement;
6. PTO – Form 1449;
7. IDS References;
8. Assignment;
9. Assignment Recordation
10. Acknowledgment Postcard; and,
11. "Express Mail" Certificate.

I hereby certify that this paper and fee are being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, "Box Application," U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, Virginia 22202.


Tammy T. Fattoross